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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,152	06/04/2001	John M. Verbil	1847 USW 0627 PUS	6560

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT PAPER NUMBER

2642

DATE MAILED: 06/22/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/874,152

Applicant(s)

VERBIL ET AL.

Examiner

Rasha S AL-Aubaidi

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Examiner
Rasha S. Al-Aubaidi
703-605-5145

Applicant's arguments have been fully considered and have not been found persuasive.

Regarding applicant's argument that the user in Farris "does not stay connected while waiting", the examiner would like to clarify that the concept of Farris is to provide a call back feature once the line becomes available (not busy). It does not matter whether the user stays connected or hangs up the phone and receives a callback or ring back later. Actually, few references teach the feature of allowing the user to hang up the phone and have the freedom to do something else until he/she receives the callback from the desired destination.

Regarding applicant's argument that Farris teaches "queuing the order of incoming calls for call back, not queuing the actual calls themselves", it is unclear what the applicant is trying to argue.

Regarding applicant's argument that "Farris discloses queuing the telephone number of the calling party, and not the actual call itself". Examiner would like to clarify to the applicant that the telephone number is actually the same as the call itself. Obviously when calls are initiated, they must have certain numbers (digits) that identify them. Therefore, queuing the call in the claimed invention is the same as queuing the telephone number in Farris. e.

Applicant's argument regarding "queuing the call in the intelligent peripheral (IP)" is not persuasive. Examiner brought to applicant's attention that Farris does teach the use of IP that participates with ISCP 20 in order to place the caller in a queue. IP 18 or SSP 10a collects information from the caller and adds the caller to the queue, see col. 11, lines 48-61. ISCP would be responsible to update this queue, col. 11, lines 63-67. Also, since IPs have been used to perform network functionalities in order to decrease the load on the network elements, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the calls queued in the IP in order free the network resources.



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